

"DYNAMITE" CASE IN HANDS OF JURY

Fate of Forty Union Officials Will Be Known Soon.

It Has Taken Twelve Weeks in Which to Present Evidence For and Against Men Accused of Implication in Union's Alleged Campaign of Destruction.

Indianapolis, December 26.—What ever is to be the outcome of the three months' "dynamite" trial, in which forty labor union officials are accused of complicity in the McNamara plot to destroy property, including the wrecking of the Los Angeles Times Building, when twenty-one persons were killed, now rests with the jury.

Federal Judge Albert B. Anderson, after a 6 o'clock to-night session, instructed the jury, and ordered it to retire. The court then adjourned until 9:30 A. M. to-morrow, thus precluding the return of the verdict before that time should they be found. The verdicts, while separate as to each defendant, are to be returned at one time.

May Require Long Time.

"How long will the jury be out?" was the question asked as the jurors filed out. A basis for a belief that verdicts would not be reached when court opens to-morrow, and that the jurors may require a much longer time, was found in the court's instruction "carefully to weigh all the evidence in the case." It has required almost twelve weeks to introduce the evidence.

The defendants who await the outcome include Frank M. Ryan, president of the International Association of Bridge and Structural Iron Workers, of which J. J. McNamara, the confessed dynamiter, was once secretary; various executive board members of that union; Herbert S. Hocking, accused as an accomplice of Orrie E. McManis, another confessed dynamiter; Olaf A. Tveitmo, secretary of the California Building Trades Council; Eugene A. Clancy, San Francisco; J. E. Munsey, Salt Lake City, Utah. The three last named are charged with promoting the Los Angeles explosion.

These men are not charged under the Federal laws with personally committing any explosion. They are charged with conspiracy to violate Federal laws and with aiding in an illegal transportation of dynamite and nitroglycerin on passenger trains.

In closing his argument to the jury, District Attorney Miller again referred to the argument of United States Senator Kern, who had led the defendants, saying he was going to Washington.

"The Los Angeles Times Building explosion was called the crime of the century," said Mr. Miller, "but the real crime of the century was this damnable conspiracy. It would be everlasting disgrace to this country and to our civilization if these forty defendants are not convicted."

Attacks Senator Kern.

Gentlemen of the jury, a United States Senator, sworn to uphold the laws of his country, has dared to stand before you in defense of these enemies of the republic. He should find these traitors guilty and put your seal of condemnation upon such conduct by a United States Senator."

After stating the substance of the various offenses charged, and mentioning the nation-wide strike of the Iron Workers' Union, which, the government charged, was the motive for 1909 ment charged, the work of contractors who refused to recognize the union, Judge Anderson, in his instructions, said:

"It was not unlawful for the Structural Iron Workers to organize the union to which they belong. It is not unlawful for the defendants to be members of that or any other labor organization. Men have the right to use their combined power through such organizations to advance their interests in any lawful way, but they have no right to use this power in the violation of the law. Organized labor is not on trial here, nor is the right of labor to organize and to issue, but members of labor organizations owe the same obedience to the law, and are liable to the same punishment for its violation as persons who are not members of such organizations."

The defendants are not on trial for causing the various explosions, and the consequent loss of life and property through the United States shown by the evidence. They are on trial for the offenses charged in the indictment, together with the facts and circumstances surrounding them, were permitted to go in evidence before you, because they tend to show the community of purpose, the concert of mind and action, which is an essential ingredient of the offenses charged, and they should be considered by you upon that issue alone.

What Evidence Shows.

The evidence in this case shows that in August, 1912, there was a conspiracy between the International Association of Bridge and Structural Ironworkers and the American Bridge Company over the open and closed shop question; that in said month the International Association declared a general strike against the American Bridge Company, and that this strike has never been settled. If you find in the evidence that in order to carry out the purposes of the International Association, the defendants, or two or more of them, entered into a conspiracy to destroy such property included, as a necessary step in the accomplishment of such destruction on the

(Continued on Fifth Page.)

RICHMOND PEOPLE TO MEET WILSON

Leading Democrats Will Welcome Distinguished Virginian.

WILLARD TAKES PRIVATE CAR

Invites Party to Greet President-Elect—Governor and Lieutenant-Governor Going To-Day.

Staunton Prepares to Be Cynosure of Nation for Two Days.

Many Richmond people will journey to Staunton to-day and to-night to help welcome Woodrow Wilson, President-elect of the United States, back to the city and State of his birth. This city will do its part toward making the celebration Statewide.

Former Lieutenant-Governor Joseph B. Willard will take a party on a private car to Staunton, leaving the city at 2:15 o'clock this afternoon. The car will be attached to the Wilson train at Gordonsville, where Governor Willard will welcome his friend, the next President, to Virginia soil. The private car will be parked at Staunton and will return to this city Sunday morning.

With Captain Willard, as his guests, will be Congressman-elect Andrew Jackson Montague, R. Lynch Montague, Richard Evelyn Byrd, Charles V. Meredith, John Garland Pollard, Harry M. Smith, Jr., John Stewart Bryan, Alexander Forward, Charles R. Cooke and R. Tate Irvine.

Many Others Going.

Governor and Mrs. William Hodges Mann will leave Richmond on the 2:15 o'clock train this afternoon, to be guests of the homecoming. Lieutenant-Governor Ed. Echols during their stay in Staunton. Lieutenant-Governor J. Taylor Ellison will go at the same time.

Feeling that many people would attend the celebration but for the fear of lack of accommodations, a movement was started yesterday by J. N. Brennan, secretary of the Democratic State Committee, to secure a special car, to leave the city at 11 o'clock to-morrow night, the car would be brought back to Richmond, two nights later, to leave for Staunton. His plans were still in complete last night, awaiting applications for space.

At a number of points, it was stated yesterday, bonds for the start this afternoon at 4 o'clock, about the time Governor Wilson enters Virginia from the District of Columbia. These will be the homecoming of the State. Later, as it gets dark, fires will be lighted in Charlottesville, Staunton and in many other parts of the State, in honor of the homecoming of Virginia's son.

Staunton's Proud Day.

The little city will be crowded with leading Democrats from all parts of Virginia, eager to greet the distinguished visitor. But the visit will be unusual, in that quiet and dignity will be sought to the exclusion of continuous rounds of handshaking and receptions. A parade will meet the President-elect at the station, and he will be taken to the home where he was born fifty-eight years ago to-morrow. He will then be left in peace for the night.

The principal parade takes place to-morrow morning. There will be memorial services in the church once again, and a luncheon and an reception for Mrs. Wilson, and a big dinner to-morrow night.

The next President will be expected to do very little talking. The Staunton people merely want him to be glad that he has come back home.

Staunton in Readiness.

Staunton, Va., December 26.—Visitors from various parts of the country began to arrive here to-day for the celebration in honor of the homecoming of President-Elect Wilson, which will begin upon his arrival in Staunton to-morrow night, and conclude Saturday night. The arrival of every train augmented the crowd of visitors, and by to-morrow it is expected that the city will be thronged.

Committees having in charge the Wilson celebration were busy to-day completing final arrangements for the event and providing accommodations for the visitors. The city now is ready for the arrival of its distinguished son, and is prepared to accord him a hearty welcome.

Every precaution has been taken to safeguard the President-elect. A large detective force is here, and police from other cities will assist in maintaining order. Word was received from Washington to-day that twenty policemen from that city will be here to-morrow.

Precautions also have been taken to prevent the President-elect from catching cold during the big parade, which he will review on Saturday. The reviewing stand will be inclosed with glass and heated.

Mrs. Wilson will be tendered a reception Saturday afternoon by the local chapters of the Daughters of the American Revolution and the Daughters of the Confederacy.

Plans were completed at Alexandria to-day, which will be the first stop by the President-elect on his way to Staunton, for tendering him a big reception. Governor Wilson will reach Alexandria at 2:29 o'clock to-morrow afternoon, and will be met at the station by a delegation of city officials headed by Mayor Fisher. Although his train will stop only for a few minutes, it is expected that Mr. Wilson will make a brief address.

The President-elect's approach will

(Continued on Fifth Page.)

ARE CAMPAIGN PROMISES KEPT?

Some Quotations From Folkes, Hirschberg and Whittet's Speeches.

PUT CITY ABOVE PRIVATE AIMS

Folkes Warned Voters Against Faction in Board, Saying Three Could Dominate It—Declared Against Clique Rule—Advocated Appointments for Merit Alone.

Wide publicity in city affairs, the merit system in dealing with city employees and efficiency in the management of the city's business were the chief planks on which the "Big Three" now controlling the Administrative Board went before the people in the primary of September 10. Mr. Folkes added that he was opposed to clique rule in the board or allowing three men to dominate its actions. So much for the campaign promises.

Before the members of the board were legally in office, before they have begun to draw salary, secret conferences of three members are held; a secret caucus of the board is held, to which press representatives are denied admission, and the merit system is utterly ignored by the employment as Building Inspector of a deputy once discharged from the office for drunkenness, putting him in over the heads of other deputies who have served faithfully, as well as over the heads of better trained and more competent candidates.

The campaign was a long drawn out one, with much speedmaking before the various ward clubs, and though many people remember promises made at that time, few of the speeches were reported in full.

Folkes for Merit System.

Each candidate in turn spoke before the Business Men's Club, one each day, advancing his platform and ideas.

State Senator Folkes told the Business Men's Club on August 10 that he was "utterly opposed to the subdivision of the administrative board into smaller committees for the purpose of handling different classes of the city's business. To permit the division of the Administrative Board into smaller committees, of any two or three, would be to invite again the divided responsibility and the delay which is the bane of the present administrative system," said Mr. Folkes. "A loophole would be left through which certain members of the board might seek to evade the consequences of an injudicious action by claiming that they were not members of the subcommittee which approved it. It shall be my purpose, if elected, to oppose any movement having the subdivision of the Administrative Board for its object."

Mr. Folkes drew attention to the fact that the board created the board vested any three of the five members with the right to form a quorum. In the event, he said, that illness should prevent the presence of any two members a vast amount of power would be placed in the hands of two men, who would be a "small system in dealing with city employees, a liberal street improvement policy, and the fulfillment of all contracts, expressed and implied, in the annexation of territory to the city."

Business Administration.

Two days later John Hirschberg, speaking at the Business Men's Club, is reported to have spoken vigorously in bold terms in favor of his candidacy.

"I will not be the representative of any particular class of people," said Mr. Hirschberg, "but strive always to serve all the people in every section of the city without distinction. I am not here to make you any promise. I will commit myself to no administrative platform. I do promise this, however, I will give you a good, honest administration, as I feel I am capable of doing. I want to say that I feel big enough for the job, and my business experience, added to my years, but my four years of service for the city Council, together with my business experience have added to my age. I am not a property owner, and I have not had the advantage of a college training. Yet I do not feel that my lack of it will detract from my ability to discharge the duties which will devolve upon the members of the Administrative Board since, after all, what you want is a business administration, and that I am able to give."

Platform of Public Improvements.

Mr. Whittet issued a comprehensive platform of projected city improvements, including bridges, wharves, recreation grounds, auditorium and public library, but had little to say as to where the funds were to come from to carry on these great enterprises. Mr. Whittet told the Business Men's Club that he would stand for a liberal policy of annexation to keep in advance of the future rapid development of the city and to open up in nearby territory sections which could be occupied by homes of moderate cost.

Speaking before the Lee Ward Club on August 22, the reports state that Mr. Whittet was on the floor less than one minute. He thought it superfluous, he said, to go into the details of his twenty years' service in the city government. He wanted the voters, he said, to know what he could do.

The tax returns published during the summer formed a basis of many speeches by candidates for the Administrative Board. It is a matter of record that the "Big Three," Messrs. Folkes, Hirschberg and Whittet, coupled with the effect of his long hours at the State House, it was feared at first that he was on the road to a severe breakdown.

(Continued on Third Page.)

"All 'Gall' Is Divided Into Three Parts"—Caesar



Why Should the Taxpayers of Richmond Pay Salaries of \$25,000 a Year to FIVE When the BIG THREE Run the Job?

PROPPED UP IN BED FOR CONFERENCE

President-Elect Wilson Discusses Currency Reform With Congressman Glass.

He Will Be Able to Leave This Morning on Trip to Staunton.

Princeton, N. J., December 26.—Propped up in bed, President-Elect Woodrow Wilson sat for two hours to-day talking about currency reform with Representative Glass, of Virginia, chairman of the House Subcommittee on Banking and Currency Reform, and Dr. H. P. Willis, a New York financial writer.

"The conference concerned generalities," said Mr. Glass afterwards.

"The Governor has some positive ideas about currency reform, and discussing them more decisively and more clearly than any one I have ever met," he said.

No Measure Yet Drafted.

Mr. Glass said he was not at liberty to disclose what was discussed in the conference. "That's what we talked about," he said, as he exhibited a handful of \$5 goldpieces.

He added that more of the bills supposed to be before his committee in Congress was authentic, and that the committee had not yet drafted any measure. He added that public hearings would begin January 7.

The Governor had almost recovered to-night from his attack of grippe, but in accordance with the physician's orders, he remained in bed and saw no one but Messrs. Glass and Willis. He will leave at 10:20 o'clock to-morrow for Staunton, Va., his birthplace, there to celebrate with the townfolk his fifty-sixth birthday on Saturday.

The train will reach Washington at 3:15 P. M. and will be there for fifteen minutes, while the two special cars carrying the Governor and a party of Virginians living in New York, who will accompany him, will be switched from the Pennsylvania Railroad to the Chesapeake and Ohio.

It will be the first time, however, that the President-elect will have extensive changes of station officers and troops. It may be necessary to apply to Congress immediately upon its reconvening next week for a deficiency appropriation.

There probably will be the greatest outpouring of people that has ever marked the inauguration of any President, but, according to Chairman William C. Rust, of the committee, there will be no ostentation. He contends that true democracy demands that there be no display, and he is quoted by Thomas Nelson Page, who is quoted as saying:

"President Jefferson's act of riding up Pennsylvania Avenue on horseback has been derided, but the people who have studied history have realized that he did it in a dignified manner, and that his inauguration had at least as much real dignity and true simplicity as that of any President."

The subscription to the \$150,000 fund for the inaugural affair is growing fast, notwithstanding the Christmas season.

(Continued on Third Page.)

WOOD PLANNING GREAT PAGEANT

Begins Preparation of Military, Naval and Civic Demonstration.

Washington, December 26.—Major-General Leonard Wood, chief of staff of the army, who has just been named as chief marshal of the approaching inaugural parade, has begun to outline his plans for a military, naval and civic demonstration.

The selection of General Wood to undertake this task is in line with precedents which, for the last several administrations, have led to selection of the senior army officer on the active list in Washington, regardless of political affiliation. Thus it happened that the military features of President Taft's inauguration were in charge of Major-General J. Franklin Bell, while the late Lieutenant-General Henry C. Corbin performed a similar function at the last inauguration of Theodore Roosevelt.

General Wood's purpose is to make the Wilson inauguration parade as well balanced as possible in the matter of representation of the various branches of the military, naval and air forces, and to include a representation of the navy guard and a proportioned civic display.

Consultation began to-day between General Wood and the ranking officers of the navy and army now in Washington, and correspondence has been instituted between the chief marshal and the Governors and adjutants-general of the various States and Territories, in regard to the participation of the militia in the inauguration.

May Ask Appropriation.

One of the features of the plan is to gather in Washington several thousand troops from the various army posts, probably as far west as Chicago and south to Atlanta as well as the entire cadet corps and miscellaneous battalions from their respective academies.

This will involve the War Department in considerable expense, on account of transportation, and as that particular appropriation has been greatly reduced, owing to the extensive changes of station officers and troops, it may be necessary to apply to Congress immediately upon its reconvening next week for a deficiency appropriation.

There probably will be the greatest outpouring of people that has ever marked the inauguration of any President, but, according to Chairman William C. Rust, of the committee, there will be no ostentation. He contends that true democracy demands that there be no display, and he is quoted by Thomas Nelson Page, who is quoted as saying:

"President Jefferson's act of riding up Pennsylvania Avenue on horseback has been derided, but the people who have studied history have realized that he did it in a dignified manner, and that his inauguration had at least as much real dignity and true simplicity as that of any President."

The subscription to the \$150,000 fund for the inaugural affair is growing fast, notwithstanding the Christmas season.

(Continued on Third Page.)

TERMS OF ALLIES CALLED ABSURD

Turks Protest That They Never Will Pay the Price.

London, December 26.—Both the Turks and the Balkan allies are standing by their guns on the peace terms. Both declare it is impossible to recede from their positions.

Nevertheless, those who think they know what is going on behind the scenes, believe the probabilities of the conclusion of peace are greater than those of the resumption of conflict. The exchange of cipher dispatches between the administration at Constantinople and Rehad Pasha continues, but the chief of the Turkish plenipotentiaries declines to divulge the nature of the reply he will present to the allies Saturday, when the conference reassembles at St. James Palace.

It is understood this will be as already outlined, with the additional promise that Turkey will apply to the European territories remaining to her the reforms which Count Von Berchtold, the Austro-Hungarian Foreign Minister, proposed before the war.

While I cannot discuss the reply of the Ottoman government," said Rehad Pasha to-night, "nothing prevents me from saying that the terms the allies have proposed are absurd. They have produced this impression wherever heard—even outside of Turkish circles. It was never known that after the conclusion of an armistice one belligerent party could ask the other to cede territory bravely defended and still resisting with heroism."

Turks Claim Victories.

"Why should we do this, especially when the Bulgarians had three reverses at our hands just before the armistice, while the Greeks, who continued to fight, were defeated both on land around Janina and at sea off the Dardanelles?"

"Turkey was induced to accept an armistice only on the advice of the powers in order to avoid useless carnage on both sides. The same humanitarian considerations led the Ottoman government to ask for the revivification of the besieged towns and induce the government to yield certain conditions for the sake of peace. But there is a limit which the allies have surpassed."

The allies, on the other hand, assert the armistice was arranged to give Turkey an opportunity of making peace terms without suffering further losses in the field, and they characterize Turkey's talk of keeping Adrianople, Janina, Scutari and Saloniki as one of the impossibilities. Mr. Dismal, speaking for the allies, said:

"Let them come and take Saloniki if they can. Even the dust of our ancient heroes would rise up to defend our rights."

The most optimistic of the Turkish military party profess confidence that the Bulgarians will never be able to force the Thracian lines, but that, with her present powerful army, Turkey will free Adrianople in a fortnight, and adding that Garrison to the main

(Continued on Third Page.)

BUTLER'S WORK CAUSE OF SUIT

Former Inspector Allowed Frame Wall in Brick Dwelling.

APPROVED PLANS VIOLATING CODE

Douglas E. Taylor Seeks to Recover \$2,000 From Harvey C. Brown, Because House Was Represented as of Standard Construction, Conforming to Regulations.

Failure to carry out the plain provisions of the building laws of Richmond on the part of John E. Butler, while a deputy building inspector, are alleged in a damage suit docketed for trial in the Law and Equity Court. The case will probably come to trial during the January term of the court. The suit was brought by Douglas E. Taylor, against Harvey C. Brown, for damages said at \$2,000, and involves the proper construction of the dwelling house at 2806 West Grace Street, the present home of Mr. Taylor.

What the Records Show.

The house in question was erected by Mr. Brown in 1910 on plans approved by Mr. Butler, while deputy building inspector. In the course of its erection it was six times inspected by Butler, who certified to its proper completion. On May 27, 1911, Mr. Brown sold the house and lot to Douglas E. Taylor, who purchased it to be used as his own home. In his declaration of the suit, Taylor sets forth that the property was represented to him as being of standard construction, built according to the Richmond Building Code, on plans approved by a deputy building inspector, and with properly supervised construction. The house is on the north side of West Grace Street, between Robinson and Mulberry Streets. After taking possession of the premises, Mr. Taylor says in his declaration that he found to his great surprise that a large part of the eastern wall was of wooden construction, covered over with metal; this side having the effect of a bay window, running through two stories, and as to foundations, material and workmanship, it is claimed to be of unsound construction, not in accordance with the Building Code of Richmond. Because of this use of wooden walls in a brick building located in the brick district, Mr. Taylor claims that he is entitled to \$2,000 of the purchase money.

Plans Approved by Butler.

Examination of the records in the Building Inspector's office show that the plans for this building were filed on December 28, 1910; that it was located in the district assigned to Mr. Butler, then a deputy building inspector, that he passed the plans and issued the permit on January 2, 1911. According to Mr. Butler's work card, turned in and made a part of the official record of the office, work was commenced January 3, 1911. Mr. Butler inspected its progress six times at intervals of about a week, signed his name on the card after each inspection, the final inspection and approval of the building having been on March 3, 1911. Mr. Butler was discharged for failing to report for duty and drunkenness on March 7, 1911. It is also a matter of record that Mr. Brown, a considerable investor and builder, proposed to build a number of other houses in the western part of the city on plans similar to those of the house in question; that the defect in the use of wooden construction was caught by Building Inspector Beck himself, and the plans changed, and the further houses erected with brick walls in accordance with the Building Code.

Violation of Building Code.

Section 28 of the Building Code is headed "Walls of buildings other than frame or wood," and reads:

"The walls of all buildings, other than frame or wood buildings, shall be constructed of stone, brick, Portland cement concrete, iron or steel, or approved by the Building Inspector, other hard incombustible material. All buildings shall be inclosed on all sides with independent or party walls, except rear of the main top story above the dwelling level, which may be of frame covered with slate or metal."

It will be recalled that Mr. Folkes, of the "Big Three" now in control of the city's new \$25,000 Administrative Board, in his written statement, given out in defense of his appointment, had the honor's appointee had no technical training other than as a bricklayer, and admitted that he had been properly discharged for drunkenness. Mr. Folkes defended the board's appointee by saying that in the erection of big buildings he could employ outside architects to advise him, where his own education would not enable him to pass on plans. Mr. Folkes said:

"Upon residence work his work is not questioned, but has been commended. This is a strong point in Mr. Butler's favor; some of our citizens spend a lifetime trying to get the money to build a home, to get their liking, and they will build only one, and certainly one has proven himself more qualified in this particular kind of supervision to protect this class of property from fraudulent work by contractors than Mr. Butler."

Gives Small Investor No Protection.

A wealthy investor, who has been associated with the construction of several large buildings in the past few years, referring to the appointment of Mr. Butler, said yesterday:

"It matters little to me personally. I always employ a skilled architect, and have my own inspector constantly on my buildings to get the money to build a home, to get their liking, and they will build only one, and certainly one has proven himself more qualified in this particular kind of supervision to protect this class of property from fraudulent work by contractors than Mr. Butler."

(Continued on Third Page.)